



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/274,941	03/23/1999	STEPHEN LEE SPEAR	CE03880R	9149

7590 08/27/2002
CHARLOTTE B WHITAKER
MOTOROLA INC
1303 EAST ALGONQUIN ROAD
SCHAUMBURG, IL 30196

EXAMINER

HYUN, SOON D

ART UNIT	PAPER NUMBER
----------	--------------

2663

DATE MAILED: 08/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/274,941

Applicant(s)

SPEAR ET AL.

Examiner

Soon-Dong Hyun

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

Art Unit: 2663

DETAILED ACTION

Drawings

1. Applicant is required to submit a proposed drawing correction in reply to the Form PTO-948 attached to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Objections

2. Claims 19 and 20 are objected to under 37 CAR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

The claim 18 comprises a method for receiving multimedia information, but each of claims ^{19 20} ~~18~~ and ~~19~~ being dependent on the independent claim 18 comprises a further step for a method for transmitting multimedia information.

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2663

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-6, 8, 12, 13, and 15-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahmed et al (U.S. patent No. 6,160,804).

Regarding claims 1 and 2, Ahmed et al discloses a method for transmitting multimedia information in a communication system, the method comprising:

receiving a plurality of streams (packets) through the air at a mobile 102 or a node 104 which serves as a base station, the plurality of streams (packets) which together form a multimedia session, see col. 6, lines 56-61, col. 14, lines 59-64;

decoding (decoding is not shown, but decoding is inherently required for receiving, because coding is implemented for transmission), based upon the content of each individual stream (packet), the plurality of streams to form a plurality of decoded streams, see col. 10, line 44; and

Art Unit: 2663

performing Layer 2 functionality (ARQ scheme) upon each of the plurality of decoded streams. See col. 10, lines 44-45.

Regarding claims 15-17, and 19-23, Ahmed et al discloses a method for transmitting multimedia information in a communication system, the method comprising:

receiving a plurality of multimedia streams from Subnetwork Layer of a mobile 102;
splitting (implementing segmentation) the multimedia stream into component pieces (packets) at RLP layer of the mobile;
applying Layer 2 protocol (ARQ scheme) to the component pieces at the mobile station;
applying channel coding to the component pieces at the mobile; and
transmitting the component pieces over the air from the mobile to a node 104 which serves as a base station. See col. 6, lines 56-61, col. 10, lines 32-59, col. 14, lines 59-64.

Regarding claim 18, Ahmed et al discloses a method for transmitting multimedia information in a communication system, the method comprising:

receiving a plurality of streams (packets) through a physical layer at a mobile 102 or a node 104 which serves as a base station, the plurality of streams (packets) which together form a multimedia session, see col. 6, lines 56-61, col. 14, lines 59-64;

decoding (decoding is not shown, but decoding is inherently required for receiving, because coding is implemented for transmission), based upon the content of each individual stream (packet), the plurality of streams to form a plurality of decoded streams, see col. 10, line 44; and

Art Unit: 2663

performing Layer 2 functionality (ARQ scheme) upon each of the plurality of decoded streams. See col. 10, lines 44-45.

Combining (re-assembling) the plurality of streams into a multimedia stream, see col 10, line 47.

Regarding claims 3-6, 8, 12, and 13, Ahmed et al further discloses that a method for a mobile access and a connection set up between the mobile and node, i.e., alerting a mobile and a node (a network) to transmit, receive, and process the multimedia or a step of deciding to enter multimedia mode, see col. 14, line 58+.

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CAR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

Art Unit: 2663

made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 7, 9-11, 14, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Ahmed et al (U.S. patent No. 6,160,804) in view of Hellwig et al (U.S. Patent no. 6,295,302)

Regarding claims 7, 9-11, and 14, refer to the claim 5. However, Ahmed et al does not teach a computer coupled to the mobile station. Hellwig et al discloses a wireless multimedia communications system comprising a computer coupled to a mobile station, see FIG. 6. Those of skill in the art would have been motivated by Hellwig et al to couple a computer to the mobile station of Ahmed et al to transmit multimedia information generated by the computer over the air, because the computer has much more capabilities for information processing. Therefore, it would have been obvious to one having ordinary skill in the art to couple a computer to the mobile station of Ahmed et al. When a computer is connected to the mobile, it is inherent that switching-on the computer and running corresponding programs in the computer (alerting) before starting the multimedia communications between the computer and the mobile.

Regarding claims 24-27, Ahmed et al discloses a communication system for transmitting multimedia information comprising:

a network (108) including a plurality of nodes (104), each node serves as a base station or a controller; and

a mobile station (102) coupled to the network and including a plurality of ports.

Art Unit: 2663

However, Ahmed et al does not teach a computer coupled to the mobile station and a multimedia port to the mobile station. Hellwig et al discloses a wireless multimedia communications system comprising a computer coupled to a mobile station, see FIG. 6. Those of skill in the art would have been motivated by Hellwig et al to couple a computer to the mobile station of Ahmed et al to transmit multimedia information generated by the computer over the air, because the computer has much more capabilities for information processing. Therefore, it would have been obvious to one having ordinary skill in the art to couple a computer to the mobile station of Ahmed et al and providing the mobile station with a plurality of multimedia ports including a voice port, a video port and a data port for connecting the mobile station to corresponding information sources in the computer.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6130883 (Spear et al), 6167040 (Haeggstrom), 6167261 (Amin) and 6243371 (Chawla et al) relate to a method for a wireless data communication network..

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soon-Dong Hyun whose telephone number is (703) 305-4550. The examiner can normally be reached on Monday-Friday from 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached on (703) 308-5340.

Art Unit: 2663

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

9. Any response to this action should be mailed to:

Commissioner for Patents

Washington, D.C. 20231

Or faxed to: 703-872-9314 for formal communications intended for entry with a label of "OFFICIAL" and for informal or draft communications with a label of "PROPOSED" or "DRAFT" (attn: Art Unit 2663, Soon-Dong Hyun).

S.

S. Hyun

8/21/2002



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600